

New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on December 16, 1911, from the State of New York into the State of Pennsylvania, of a quantity of bitters which was misbranded. The product was labeled: "Casagallo. Ferro-China. Ferro-China Casagallo Celebrated Bitters Alcohol 31%. The Nectar Company—Sole distributors New York. Guaranteed under the food and drugs Act, June 30th 1906. Serial No. 26497. The Nectar Co. Trade mark Casagallo." Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity 15.6°C./15.6°C	1. 0142
Alcohol (per cent by volume).....	23. 70
Methyl alcohol.....	None.

Misbranding of the product was alleged in the information for the reason that the label set forth above regarding the article and the ingredients and substances contained therein was false and misleading, in that said label indicated that the article contained 31 per cent of alcohol, whereas, in truth, it contained 23.70 per cent of alcohol, and further in that said label would indicate that the article was a product of a foreign country, whereas it was a product of the United States, and, further, in that it purported to be a foreign product, to wit, a product of Italy, whereas, in truth and in fact, it was a product of the United States.

On November 10, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$10.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

2964. Adulteration and misbranding of vinegar. U. S. v. 23 Barrels of Vinegar. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D No. 4746. S. No. 1562)

On November 4, 1912, the United States attorney for the District of New Mexico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 23 barrels of vinegar remaining unsold in the original unbroken packages, in possession of the Joyce-Pruitt Co., Roswell, N. Mex., alleging that the product had been shipped on September 25, 1912, and transported in interstate commerce from the State of Missouri into the State of New Mexico, and charging adulteration and misbranding in violation of the Food and Drugs Act. The product was labeled: "Monarch Vinegar Works—Pure Apple Cider Vinegar—reduced to not less than 4.5 acid strength. 47 gals. Kansas City, Mo." Adulteration of the product was alleged in the libel for the reason that the barrels purported to contain pure apple cider vinegar, whereas the contents thereof was not in truth pure apple cider vinegar but contained dilute acetic acid and distilled vinegar and mineral matter mixed and packed with it in imitation of cider vinegar and so as to reduce, lower, and injuriously affect its quality and strength, and it was further adulterated for the reason that dilute acetic acid, distilled vinegar, and mineral matter had been substituted wholly or in part for said cider vinegar alleged to be contained in the barrels. Misbranding was alleged for the reason that the barrels and the labels thereof bore certain statements regarding the contents thereof which were false and misleading, and that said barrels were so labeled and branded as to deceive and mislead the purchasers thereof, in that the labels thereon contained the statement that the contents of the barrels was pure apple cider vinegar, which said statement and label were false and misleading, in that the contents of the barrels was not pure apple cider vinegar, but contained dilute acetic acid, distilled vinegar, and mineral matter.

On April 7, 1913, the Monarch Vinegar Works, Kansas City, Mo., claimant, having admitted the allegations in the libel and consented to a decree, judgment of condemnation and forfeiture was entered and it was ordered by the court that the product

should be released and turned over to said claimant upon payment of the costs of the proceedings and the execution of bond in the sum of \$500 in conformity with section 10 of the act.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

2965. Misbranding of peanut butter. U. S. v. Julius Koehler (The Royal Peanut Butter Co.)

Plea of guilty. Fine, \$25 and costs. (F. & D. No. 4757. I. S. No. 37304-e.)

On February 15, 1913, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Julius Koehler, trading as The Royal Peanut Butter Co., Cleveland, Ohio, alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 22, 1912, from the State of Ohio into the State of Minnesota, of a quantity of peanut butter which was misbranded. The product was labeled: "Home Brand 12 oz." (Picture of home with the words "Trade Mark Registered") "Peanut Butter Healthful, Nutritious, Palatable easily digested Griggs Cooper & Co., St. Paul, Minn." (Label on pasteboard shipping carton similar to the foregoing, with the following added: "1 doz., 25¢ size." Examination of samples of the product by the Bureau of Chemistry of this department showed the following results:

	Ounces.
Weight claimed.....	12
Net weight:	
Package No. 1.....	10 $\frac{3}{8}$
Package No. 2.....	10 $\frac{3}{8}$
Package No. 5.....	10 $\frac{3}{8}$
Package No. 6.....	9 $\frac{7}{8}$
Package No. 7.....	10 $\frac{1}{4}$
Package No. 8.....	11
Package No. 9.....	10 $\frac{1}{2}$
Package No. 10.....	10 $\frac{3}{4}$
Average.....	10.359
Average shortage (per cent).....	13.67

Misbranding of the product was alleged in the information for the reason that the statement on the label thereof "12 oz." was false and misleading, as a number of the packages on which said statement appeared contained less than 12 ounces, to wit, 9 $\frac{7}{8}$, 10 $\frac{3}{8}$, and 11 ounces, respectively, or an average of 10.359 ounces. Misbranding was alleged for the further reason that the product was labeled and branded so as to deceive and mislead the purchaser into the belief that each package of the same contained 12 ounces, whereas, in truth and in fact, a number of said packages contained less than 12 ounces, 10 packages showing an average shortage of 13.67 per cent in weight. Misbranding was alleged for the further reason that the article was in package form and the contents thereof were stated in terms of weight, to wit, "12 oz.," which said statement in weight was incorrect, as 10 packages thereof showed an average shortage of 13.67 per cent in weight.

On May 23, 1913, the defendant entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

2966. Adulteration and misbranding of grape juice. U. S. v. J. F. Hauser (Monarch Wine Co.).

Plea of guilty. Fine, \$25 and costs. (F. & D. No. 4758. I. S. No. 21917-d.)

On October 31, 1913, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against J. F. Hauser, doing business